

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

United States of America

v.  
Kurt Coriaty

Criminal No. 07-cr-228-01-PB

O R D E R

On June 23, 2010, defendant appeared for a "probable cause" hearing under Fed. R. Crim. P. 32.1 on two alleged violations of conditions of supervision.

Defendant stipulated to probable cause on the violations. I therefore find probable cause to hold him for a revocation hearing.

Defendant sought bail conditions under Rule 32.1(a)(6). Under Rule 32.1(a)(6) defendant bears the burden of establishing by clear and convincing evidence that he will not flee and that he poses no danger to any other person or to the community. Based on the evidence presented at the hearing and for the reasons stated on the record, I find the defendant has failed to meet this burden and that there are no conditions which are likely to assure the safety of the community.

Accordingly, it is ORDERED that the defendant be detained pending a final revocation hearing. I recommend that the defendant be placed in the T.C. Program at the Strafford County

House of Corrections. In the event that the defendant successfully completes the T.C. Program, I will entertain a request to revisit this detention order.

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

**SO ORDERED.**

/s/ Landya B. McCafferty  
Landya B. McCafferty  
United States Magistrate Judge

Date: June 24, 2010

cc: Jennifer C. Davis, Esq.  
Jeffrey S. Levin  
U.S. Marshal  
U.S. Probation